Inter-Ministerial Working Group on Industrial Restructuring, set up by the Planning Commission. In its report, the Working Group has made various suggestions to speed up the liquidation proceedings of industrial companies. Some suggestions have also been made by the Official Liquidators for making legislative changes, in this behalf, and the Government is endavouring to introduce a Bill recodifying the Companies Act, 1956, as early as possible.

(c) and (d) The Central Bureau of Investigation has reported to have apprehended one Official Liquidator and one Registrar of Companies in the recent past and inquiries in regard to these two cases are in progress.

Shifting of PAD of Election Commission to Lok Nayak Bhavan

1731. SHRI DIPEN GHOSH : Will the PRIME MINISTER be pleased to state :

(a) whether the Pay and Accounts Department (PAD) of Election Commission has been shifted from Nirvachan Sadan to Lok Nayak Bhavan in Khan Market, New Delhi;

(b) whether the Chief Election Commissioner (CEC) has sought to have an in-house Accounts department; and

(c) if so, in what manner such a department, without having an independent status, would be able to scrutinise the accounts of the CEC ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) Yes, Sir.

(b) Yes, Sir.

(c) The expenditure incurred by the Election Commission is subject to audit under the provisions of Article 149 of the Constitution read with the Comptroller and Auditor General (Duties, Powers and Conditions of Service) Act, 1971 and there is no change in this position.

Need to amend Hindu Succession Acts

1732. SHRI SHIV PRATAP MISHRA: Will the PRIME MINISTER be pleased to state :

(a) whether Government propose to amend the Hindu adoption and Maintenance Act, 1956 and the Guardians and Wards Act; and

(b) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) No, Sir. The Government have not felt any necessity to amend the Hindu Adoptions and Maintenance Act, 1956 and the Guardians and Wards Act, 1890.

Modification in the Selection procedure of High Court and the Supreme Court Judges

1733. SHRI SHIV PRATAP MISHRA : Will the PRIME MINISTER be pleased to state :

(a) whether Government are considering any proposal to modify the existing system of selection of the High Court and the Supreme Court judges; and

(d) if so, the details hereof and if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) No, Sir.

(b) Does not arise. No change in the present system of apointment of Judges is considered necessary for the present.

Appraisal of the working of specialised Tribunals

1734. SHRI AJIT P. K. JOGI : Will the PRIME MINISTER be pleased to state :

(a) whether Government propose to conduct the appraisal of working of various specialised Tribunals set up in the country particularly those where the writ jurisdiction of the High Court has been excluded;

(b) if so, the details thereof;

(c) whether the number of cases have started piling up in such Tribunals; and

(d) the steps proposed to be taken to ensure speedy disposal of cases in the Tribunals ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) The Arrears Committee, which was constituted by the Government to study the problem of arrears in Courts, has also recommended for the review of the tribunalisation of justice in the country. The recommendations of the Committee have already been forwarded to all the High Courts, State Governments and Central Ministries for necessary follow-up action.

(c) and (d) The information is being collected and will be laid on the Table of the House.

Enforcement checks of Companies

1735. SHRI SANTOSH KUMAR SAHU : Will the PRIME MINISTER be pleased to state :

(a) the number of companies identified for enforcement checks each year during the last three years;

(b) whether it is a fact that only a small number of companies i.e. less than 1 per cent of the total registered companies are normally selected for enforcement checks each year; and

(c) what steps are taken or proposed to be taken to make enforcement checks more effective and to amend the Companies Act, 1956 to overcome the hurdles in enforcement checks ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) Companies are identified and selected for inspection currently on the basis of the following criteria :—

(i) 70% of the companies whose paid up capital is Rs. 1 crore or more as well as investment and finance companies;

(ii) 20% of the companies on the basis of complaints of investors and others; and

(iii) 10% of the companies on the basis of their incurring recurring losses as well as qualified remarks of Auditors in Audit Reports.

In adition, Registrars of Companies also carry out the technical scrutiny of the balance sheets and Profit & Loss Accounts of public companies.

Inspection of books of accounts and other books and papers were conducted under Section 209A of the Companies Act, 1956 in respect of the following number of companies during the last three years :

Year ended	No. of companies inspected	No. of companies at work at the end of the year
31-3-1990	129	2,02,128
31-3-1991	119	2,24,452
31-3-1992	160	2,50,397

It has not been possible to inspect more number of companies due to paucity of Inspecting Officers. It has not been possible to carry out the technical scrutiny of the balance sheets and profit and loss accounts of all public companies due to heavy paucity of staff and officers.

(c) Proposals have been made for augmenting the strength of staff and officers at the field offices. As the existing statutory provisions of Companies Act, 1956, are adequate to carry out the enforcement checks there is no proposal to amend the Companies Act, 1956, in this regard.